

**TITLE IV-E FUNDING**

All eligibility and judicial findings requirements as outlined in FOM 902, Funding Determinations and Title IV-E Eligibility, must be met for Title IV-E funding.

**TRIBAL CHILD CARE  
FUND**

The Social Welfare Act and the annual appropriations act for the Michigan Department of Health and Human Services (MDHHS) contain provisions by which the state may reimburse the tribe for 50 percent of their allowable expenditures related to non-Title IV-E funded Indian children out-of-home and in-home care programs. The tribe must have an approved Annual Plan and Budget to be able to request 50 percent reimbursement. The tribe makes the actual foster care payment to the foster care provider or in-home service program; see Tribal Funding Flow Chart.

In-home care programs may include: day treatment programs, counseling, tutoring, and intense probation. Out-of-home care programs include foster care, independent living, and child care institutions.

Reimbursement for allowable expenditures to the tribe is handled in the same manner as reimbursement to the counties under the county child care fund provisions in FOM 901-8, Fund Sources.

**Annual Plan and  
Budget**

The annual plan and budget for tribal child care fund and reimbursement are due by October 1 each year, and must be renewed annually.

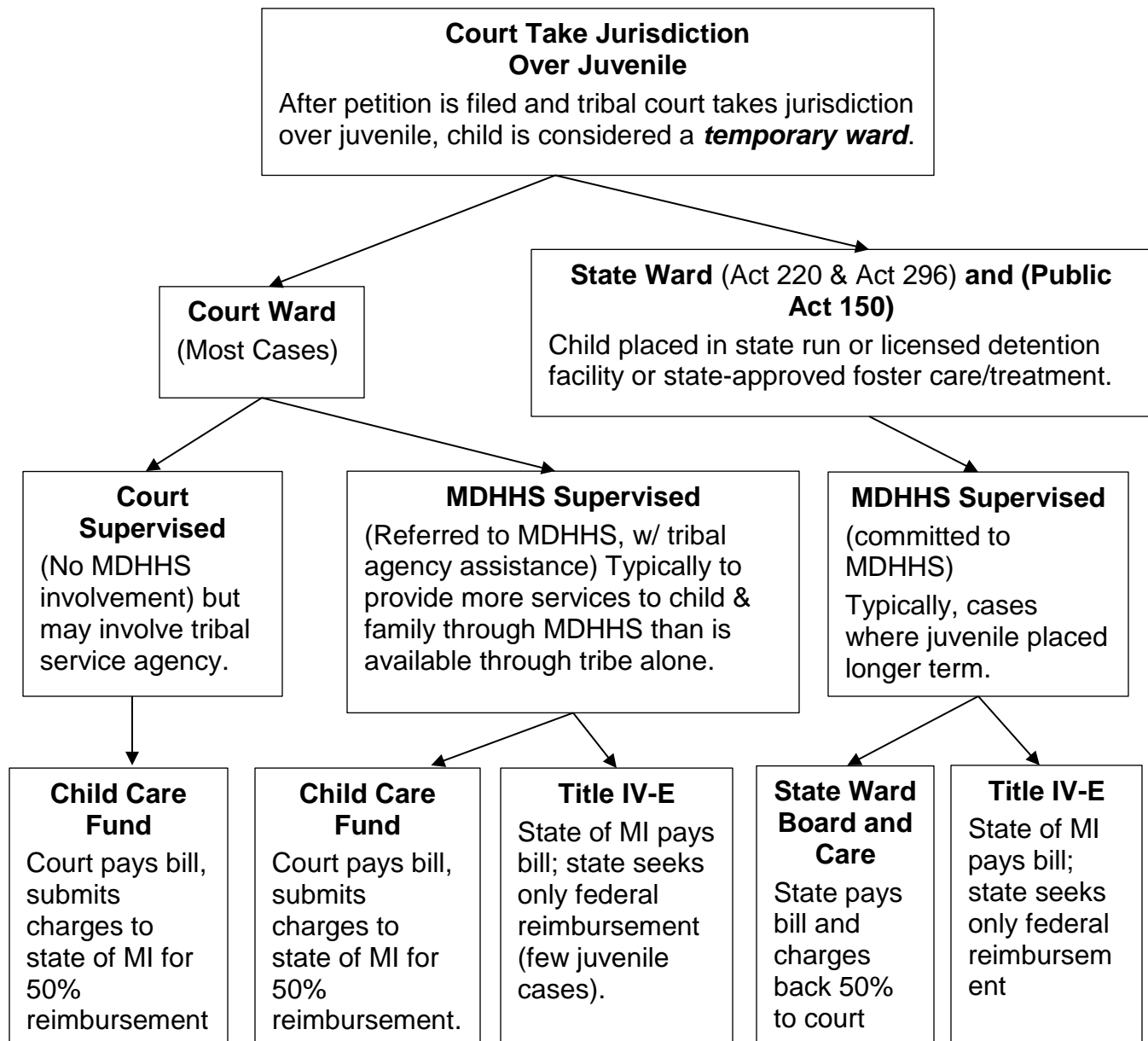
**FOSTER CARE  
PAYMENT FOR  
INDIAN CHILDREN**

An Indian child under jurisdiction of a state or tribal court is funded in the same manner as any other Michigan child in foster care including adoption, child care development fund, and juvenile guardianship assistance or in accordance with any MDHHS policy and/or agreement (such as, tribal/state Title IV-E agreement).

**Tribal Funding  
Flow Chart**

Federal and state funding laws and/or tribal agreements apply to ICWA/MIFPA and Juvenile Justice Indian child cases.

Caseworkers should consult the Tribal Funding Flow Chart to assist with funding clarifications as necessary for case management and tribal reviews/transfers.



**Note:** Most cases fall under Child Care Fund (CCF) or State Ward Board & Care (SWBC) or Title IV-E. In either case, court typically pays 50% of the cost. The difference is that with CCF, court pays up front and seeks 50% reimbursement from state, with SWBC, state pays up front and charges back 50% to the court and with Title IV-E, the state and federal government share the cost of eligible expenses. For a youth that is IV-E eligible, if a service, such as one-on-one care is required, this is a non-eligible service under IV-E and will be paid by the secondary fund source, CCF or SWBC.

**AMERICAN INDIAN  
CHILD  
ADMINISTRATIVE  
RATE**

There is an American Indian child administrative rate for placement agency foster care (PAFC) of an Indian child welfare case. Caseworkers and/or PAFC staff may contact Native American Affairs or the local MDHHS office for further assistance with American Indian child administrative rate processing.

**LEGAL BASIS**

Indian Child Welfare Act (ICWA), 25 USC 1901 et seq.

Bureau of Indian Affairs (BIA) ICWA Final Rule, 25 CFR 23.

Social Welfare Act, 1939 PA 280, as amended, MCL 400.1 et seq.

State of Michigan Annual Appropriations Act.

Michigan Indian Family Preservation Act, MCL 712B. 1 - 41.